

1 **CHRISTENSEN JAMES & MARTIN**

2 KEVIN B. CHRISTENSEN, ESQ.

3 Nevada Bar No. 00175

4 EVAN L. JAMES, ESQ.

5 Nevada Bar No. 007760

6 LAURA J. WOLFF, ESQ.

7 Nevada Bar No. 006869

8 7440 W. Sahara Ave.

9 Las Vegas, NV 89117

10 (702) 255-1718

11 Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**  
13 **DISTRICT OF NEVADA**

14 Painters Joint Committee, through its designated  
15 fiduciaries, John Smirk and Thomas Pfundstein;  
16 IUPAT Industry Pension Fund; Employee Painters  
17 Trust Health & Welfare Fund; Painters Vacation-  
18 Holiday Savings Fund; Painters Apprentice  
19 Training Trust Fund; Painters Industry Promotion  
20 Fund; Painters JCIP Fund; Painters Organizing  
21 Fund; and Painters Labor Management Contract  
22 Fund,

23 Plaintiffs,

24 v.

25 J.L. Wallco, Inc. dba Wallternatives, a Nevada  
26 corporation; Genuine Quality Coatings, Inc., a  
27 Nevada Corporation; Sunrise Painting/RCH, Inc., a  
28 Nevada Corporation; Richard Rejan Nieto,  
individually and dba Genuine Quality Coatings,  
Inc.; Claudia Bammer aka Claudia Nieto, an  
individual; Richard Raoul (aka Rqoul) Nieto, an  
individual; Great American Insurance Company;  
Shrader & Martinez Construction, Inc., a Nevada  
corporation; William Nyles Ross dba Quality  
Choice Construction; Western Surety Company;  
Merchants Bonding Company; John Does I-XX,  
inclusive; and Roe Entities I-XX, inclusive,

29 Defendants.

30 Case No. 10-cv-1385-JCM-PAL

31 **STIPULATION FOR**  
**PROTECTIVE ORDER**

32 Laura J. Wolff, Esq., Zachariah B. Parry, Esq., and Georlen K. Spangler, Esq., for their  
33 respective clients (hereafter "Parties"), hereby stipulate, agree and request this Court's Order, as  
34 follows:

35 1. On July 19, 2011, the Plaintiffs issued a subpoena to Sherwin-Williams Company that  
36 was subsequently served upon them;

1       2. Thereafter, Sherwin-Williams contacted the Plaintiffs' attorney and requested that a  
2       protective order be issued prior to providing the requested documents in order to  
3       protect their pricing structure;

4       3. The Defendants agreed to stipulate to such so that Sherwin-Williams can produce the  
5       requested documents with suitable assurances of confidentiality;

6       4. Therefore, the Plaintiffs and Defendants, by and through their respective counsel, do  
7       hereby stipulate to enter into a protective order attached hereto as Exhibit "1" for the  
8       documents requested from Sherwin-Williams Company, because they may contain  
9       sensitive, confidential, financial, private and/or proprietary commercial, personal and  
10      trade secret information ("Confidential Information"). However, this Stipulated  
11      Protected Order is signed for convenience, and by signing it, no party is agreeing or  
12      otherwise admitting that the documents requested from Sherwin-Williams actually  
13      contain Confidential Information.

14      DATED October 13th, 2011.

15      CHRISTENSEN JAMES & MARTIN

WOODBURY, MORRIS & BROWN

17      By: /s/ Laura J. Wolff

Laura J. Wolff, Esq.  
18      Nevada Bar No. 6869  
7440 W. Sahara Ave.  
19      Las Vegas, NV 89117  
Telephone: (702) 255-1718  
20      Attorneys for Plaintiffs

21      KOLESAR & LEATHAM

23      By: /s/ Georlen K. Spangler  
24      Georlen K. Spangler, Esq.  
Nevada Bar No. 3818  
25      E. Daniel Kidd, Esq.  
Nevada Bar No. 010106  
400 South Rampart Blvd., Suite 400  
26      Las Vegas, NV 89145  
Telephone: (702) 889-7726  
27      Attorneys for Defendants William Nyles Ross  
dba Quality Choice Construction and Western  
28      Surety Company

By: /s/ Zachariah B. Parry

Zachariah B. Parry, Esq.  
Nevada Bar No. 11677  
701 No. Green Valley Pkwy., Suite 110  
Henderson, NV 89074-6178  
Telephone: (702) 933-0777  
Attorneys for Defendants Genuine  
Quality Coatings, Richard Rejan Nieto,  
Richard Raoul Nieto, Claudia Bammer,  
Sunrise/RCH, Inc., Great American  
Insurance, Shrader & Martinez and  
Merchants Bonding Company

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11 Attorneys for Plaintiffs

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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**

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10 fiduciaries, John Smirk and Thomas Pfundstein;  
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Fund; and Painters Labor Management Contract  
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Case No. 10-cv-1385-JCM-PAL

14 Plaintiffs,

**PROTECTIVE ORDER**

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19 Nevada Corporation; Richard Rejan Nieto,  
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Merchants Bonding Company; John Does I-XX,  
inclusive; and Roe Entities I-XX, inclusive,

22 Defendants.

23  
24 Having considered the Stipulation for Protective Order between Plaintiffs and Defendants  
25 (Plaintiffs and Defendants are hereafter collectively "Parties"), to enter into a protective order for  
26 certain documents requested from Sherwin-Williams Company, and Good Cause Appearing,  
27

28 IT IS SO ORDERED:

1. That the Parties will redact the monetary amounts on any Sherwin-Williams Company document they file with the Court. However, if the monetary amount is relevant then the Parties will file the documents under seal with the Court to protect the integrity of the information.
2. That the Sherwin-Williams Company documents only be utilized for the purposes of the above-captioned matter and only be made available to the Parties, along with their counsel and any expert retained; and
3. That any additional party that is not a party to this Stipulation, or entering appearance subsequent to this Stipulation, will only be provided the above-referenced documents after signing an addendum or Amended Stipulation to include that party to this Protective Order prior to receiving a copy of the Sherwin-Williams Company documents.
4. Nothing in this order shall be construed to preclude any party from independently seeking the documents in any other lawsuit with Sherwin -Williams Company subject to the limitations imposed by the Nevada Rules of Civil Procedure or by local rule.

Dated and done this 47<sup>th</sup> day of Qevqdgt, 2011.

Terry A. Dean  
United States Magistrate Judge

Approved and Submitted by

Approved as to Form and Content:

CHRISTENSEN JAMES & MARTIN

## WOODBURY MORRIS & BROWN

By: /s/ Laura J. Wolff  
Laura J. Wolff, Esq.  
Attorneys for Plaintiffs

By: /s/ Zachariah B. Parry  
Zachariah B. Parry, Esq.  
Attorneys for Defendants

KOLESAR & LEATHAM

By: /s/ Georlen K. Spangler  
Georlen K. Spangler, Esq.  
Attorneys for Defendants